

REMARKS

Claims 1 - 19 were originally pending in this application. Claim 1 has been amended. Claims 9-19 have been previously withdrawn from consideration by the Examiner pursuant to 37 CFR 1.142(b). No new matter has been added. Claims 1, 2 and 4-8 remain in this application and were finally rejected in the Office Action dated August 23, 2005.

More specifically, claims 1-4 and 7-8 were rejected under 35 U.S.C. § 102(e) or, in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over the Moffitt et al. '324 patent. The Examiner commented that the Moffitt et al. '324 patent teaches that, "a skin layer 32 and an insert 26 are bought together within the mold cavity, wherein the *skin layer* 32 has a class A-surface and the insert is provided with an *adhesive layer* 26A for bonding to the injected resin 50." (emphasis added). The Examiner further noted that "claim 1 [of the present invention] does not set forth the limitation of 'the formed substrate defining a class-A side of the assembly.'"

With the Examiner's comments in mind, independent claim 1 has been amended to include limitations that distinguish the present invention over the prior art. More specifically, the Moffitt et al. '324 patent does *not* disclose or suggest a method of manufacturing a trim panel assembly including the step of injecting a molten thermoplastic material into the mold cavity to form a rigid substrate and define a class-A side surface thereon that is visible from the interior of a vehicle, as required by independent claim 1, as amended.

Applicant respectfully submits that independent claim 1, as amended recites structure that is not disclosed or suggested by the prior art and is patentably distinguishable from the subject matter of the reference of record in this case. Claims 2 and 4-8 are each ultimately dependent upon independent claim 1 and add further perfecting limitations. As such, the prior art reference standing alone, or in combination with other prior art, does not suggest the subject invention as

defined in these claims. However, and even if it did, it could only be applied through hindsight after restructuring the disclosure(s) of the prior art in view of applicant's invention, which would, in and of itself, be an invention.

Conclusion

The amendment set forth herein present this application in better form for consideration on appeal. Accordingly, applicant respectfully requests that this Amendment be admitted pursuant to 37 C.F.R. § 1.116 and that the rejections under §102(e) and §103(a) set forth in the August 23, 2005 Office Action be withdrawn.

Finally, applicant respectfully maintains that the claims, as amended, clearly distinguish over the prior art and are therefore allowable. Accordingly, applicant respectfully solicits the allowance of claims 1, 2 and 4-8 pending in this case.

Respectfully submitted,

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